

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION**

JESSIE DE LEON, individually and on behalf of all others similarly situated, <i>Plaintiff,</i>	§ § § § § § § § § §	v. MO:20-CV-00179-DC-RCG
NORTHERN NATURAL GAS COMPANY, <i>Defendant.</i>		

PRELIMINARY DISCOVERY CONTROL PLAN

The Preliminary Discovery Control Plan and preliminary scheduling deadlines provided by the parties on March 17, 2021 (Doc. 41) are adopted by the Court with modifications to expedite the parties' preliminary discovery timeline. Therefore, the following dates are entered to control the course of this case:

1. The parties' preliminary discovery will run through **May 31, 2021**. The parties may seek leave of court for additional time if scheduling conflicts arise.
2. The parties agree that within 30 days of this Order Defendant will produce:
 - a. A list of vendors who provided pipeline inspectors to work on Defendant's sites during the time period March 1, 2018 to present.
 - b. Once these third-party vendors are identified, Plaintiff will subpoena the vendors for class information, invoices, timesheets, offer letters, and pay records. Defendant shall not object to a subpoena in the form agreed upon as Exhibit A.
 - c. Master services agreements NNG executed for third-party inspection services during the time period March 1, 2018 to present, including any rate sheet (or similar document) that states the fee NNG agreed to pay to the vendor for such services.
 - d. NNG's employee handbook.
 - e. Offer letters, if any, NNG provided to individual inspectors who worked on its premises and who NNG classified as an independent contractor affiliated with a third party inspection company.
 - f. Invoices Gas Gathering issued to NNG related to the work performed by Plaintiff or any opt-in Plaintiff.
 - g. Defendant will produce six invoices from each of its third-party inspection company vendors for three Putative Class Members (redacting personal identifying information) who worked at some time during the time period March 1, 2019 to March 1, 2021.

- h. Purchase Orders NNG issued to Gas Gathering related to the work performed by Plaintiff or any opt-in Plaintiff.
 - i. NNG's communications with Plaintiff or any opt-in Plaintiff.
- 3. **Depositions:** By agreement of the parties, each side may take up to three (3) depositions (including any already taken) during the preliminary discovery period.
- 4. **Deciding the Applicable Definition of Similarly Situated:** The parties shall have **ten (10) days after the close of preliminary discovery** to meet, confer, and submit either an agreed definition of similarly situated; or if there is a disagreement as to what constitutes similarly situated, each party shall submit their own definition for the Court to consider. The Court will then rule on the similarly situated definition, if necessary.
- 5. **Notice to Potential Opt-in Plaintiffs and Final Scheduling Order:** The Court will address, if applicable, notice to potential opt-in plaintiffs and any amendments to the parties' existing scheduling order, if necessary, under separate order.

It is so **ORDERED**.

SIGNED this 26th day of March, 2021.

A handwritten signature in black ink, appearing to read 'Ron Griffin', is written over a horizontal line.

RONALD C. GRIFFIN
UNITED STATES MAGISTRATE JUDGE